



February 11, 2005

HOUSE BILL No. 1600

DIGEST OF HB 1600 (Updated February 8, 2005 12:44 pm - DI 103)

Citations Affected: IC 5-10; noncode.

Synopsis: Special death benefit fund. Allows a private university to purchase coverage from the special death benefit fund for all firefighters employed by the university, including firefighters employed by the university who died in the line of duty after June 30, 2004, and before July 1, 2005. Allows a private university, college, or junior college to purchase coverage from the special death benefit fund for all police officers appointed by the university, college, or junior college, including police officers employed by the university, college, or junior college who died in the line of duty after June 30, 2004, and before July 1, 2005.

Effective: July 1, 2004 (retroactive); upon passage.

**Ruppel, Lehe, Duncan, Bischoff,
Tincher**

January 18, 2005, read first time and referred to Committee on Public Safety and Homeland Security.
February 10, 2005, amended, reported — Do Pass.

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HB 1600—LS 6406/DI 87+



February 11, 2005

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1600

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-10-10-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2004 (RETROACTIVE)]: Sec. 4.
3 As used in this chapter, "public safety officer" means any of the
4 following:
5 (1) A state police officer.
6 (2) A county sheriff.
7 (3) A county police officer.
8 (4) A correctional officer.
9 (5) An excise police officer.
10 (6) A county police reserve officer.
11 (7) A city police reserve officer.
12 (8) A conservation enforcement officer.
13 (9) A town marshal.
14 (10) A deputy town marshal.
15 (11) A probation officer.
16 (12) A ~~state university~~ police officer appointed under
17 IC 20-12-3.5, **including a police officer whose employer**

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- 1 **purchases coverage under section 4.5 of this chapter.**
- 2 (13) An emergency medical services provider (as defined in
- 3 IC 16-41-10-1) who is:
- 4 (A) employed by a political subdivision (as defined in
- 5 IC 36-1-2-13); and
- 6 (B) not eligible for a special death benefit under IC 36-8-6-20,
- 7 IC 36-8-7-26, IC 36-8-7.5-22, or IC 36-8-8-20.
- 8 (14) A firefighter who is employed by the fire department of a
- 9 state university.
- 10 **(15) A firefighter whose employer purchases coverage under**
- 11 **section 4.5 of this chapter.**

12 SECTION 2. IC 5-10-10-4.5 IS ADDED TO THE INDIANA CODE
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2004 (RETROACTIVE)]: **Sec. 4.5. (a) As used in this section,**
 15 **"eligible officer" means a police officer or firefighter whose**
 16 **employer purchases coverage under this section.**

17 **(b) As used in this section, "employer" means:**

- 18 **(1) a university, college, or junior college, other than a state**
- 19 **university, state college, or state junior college, that appoints**
- 20 **a police officer under IC 20-12-3.5; or**
- 21 **(2) a university, other than a state university, located in**
- 22 **Indiana that:**
 - 23 **(A) maintains a fire department;**
 - 24 **(B) employs firefighters for the fire department; and**
 - 25 **(C) is accredited by the North Central Association.**

26 **(c) If an employer purchases coverage for an eligible officer, the**
 27 **eligible officer is eligible for a special death benefit from the fund**
 28 **in the same manner that any other public safety officer is eligible**
 29 **for a special death benefit from the fund. The cost of the coverage**
 30 **shall be one hundred dollars (\$100) for each eligible officer**
 31 **annually. The cost of the coverage shall be paid to the board for**
 32 **deposit in the fund.**

33 **(d) If an employer elects to provide coverage under this section,**
 34 **the employer must purchase coverage for all eligible officers of the**
 35 **employer. The board shall allow an employer to purchase coverage**
 36 **by making quarterly payments on dates prescribed by the board.**

37 SECTION 3. IC 5-10-10-5 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2004 (RETROACTIVE)]: **Sec. 5.**
 39 **(a) The special death benefit fund is established for the purpose of**
 40 **paying lump sum death benefits under section 6 of this chapter. The**
 41 **fund consists of the fees remitted to the ~~auditor of state~~ board under**
 42 **~~IC 35-33-8-3.2~~ section 4.5 of this chapter.** The fund shall be

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1 administered by the board. The expenses of administering the fund
 2 shall be paid from money in the fund.

3 (b) The board shall invest the money in the fund not currently
 4 needed to meet the obligations of the fund in the same manner as the
 5 board's other funds may be invested. Interest that accrues from these
 6 investments shall be deposited in the fund.

7 (c) Money in the fund at the end of a state fiscal year does not revert
 8 to the state general fund.

9 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
 10 **SECTION, "board" refers to the board of trustees of the public**
 11 **employees' retirement fund.**

12 (b) **As used in this SECTION, "eligible officer" means a police**
 13 **officer or firefighter whose employer purchases coverage under**
 14 **this SECTION.**

15 (c) **As used in this SECTION, "employer" means:**

16 (1) **a university, college, or junior college, other than a state**
 17 **university, state college, or state junior college, that appoints**
 18 **a police officer under IC 20-12-3.5; or**

19 (2) **a university, other than a state university, that:**

20 (A) **is located in Indiana;**

21 (B) **maintains a fire department;**

22 (C) **employs firefighters for the fire department; and**

23 (D) **is accredited by the North Central Association.**

24 (d) **As used in this SECTION, "fund" refers to the special death**
 25 **benefit fund established by IC 5-10-10-5, as amended by this act.**

26 (e) **Not later than June 30, 2005, an employer may remit**
 27 **payment to the board to purchase coverage under IC 5-10-10-4.5,**
 28 **as added by this act, for all eligible officers employed by the**
 29 **employer during the period beginning July 1, 2004, and ending**
 30 **June 30, 2005. If a payment is remitted in accordance with this**
 31 **subsection, a special death benefit shall be paid from the fund**
 32 **under IC 5-10-10, as amended by this act, for any eligible officer**
 33 **who dies in the line of duty during the period beginning July 1,**
 34 **2004, and ending June 30, 2005.**

35 (f) **This SECTION expires July 1, 2006.**

36 SECTION 5. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Safety and Homeland Security, to which was referred House Bill 1600, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, after "20-12-3.5" delete "." and insert ", **including a police officer whose employer purchases coverage under section 4.5 of this chapter.**"

Page 2, between lines 8 and 9, begin a new line block indented and insert:

"(15) A firefighter whose employer purchases coverage under section 4.5 of this chapter.

SECTION 2. IC 5-10-10-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004 (RETROACTIVE)]: **Sec. 4.5. (a) As used in this section, "eligible officer" means a police officer or firefighter whose employer purchases coverage under this section.**

(b) As used in this section, "employer" means:

(1) a university, college, or junior college, other than a state university, state college, or state junior college, that appoints a police officer under IC 20-12-3.5; or

(2) a university, other than a state university, located in Indiana that:

(A) maintains a fire department;

(B) employs firefighters for the fire department; and

(C) is accredited by the North Central Association.

(c) If an employer purchases coverage for an eligible officer, the eligible officer is eligible for a special death benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage shall be one hundred dollars (\$100) for each eligible officer annually. The cost of the coverage shall be paid to the board for deposit in the fund.

(d) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible officers of the employer. The board shall allow an employer to purchase coverage by making quarterly payments on dates prescribed by the board.

SECTION 3. IC 5-10-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004 (RETROACTIVE)]: **Sec. 5.**

(a) The special death benefit fund is established for the purpose of paying lump sum death benefits under section 6 of this chapter. The fund consists of the fees remitted to the ~~auditor of state~~ **board under**

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~~IC 35-33-8-3.2.~~ **section 4.5 of this chapter.** The fund shall be administered by the board. The expenses of administering the fund shall be paid from money in the fund.

(b) The board shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as the board's other funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(c) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 4. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "board" refers to the board of trustees of the public employees' retirement fund.

(b) As used in this SECTION, "eligible officer" means a police officer or firefighter whose employer purchases coverage under this SECTION.

(c) As used in this SECTION, "employer" means:

(1) a university, college, or junior college, other than a state university, state college, or state junior college, that appoints a police officer under IC 20-12-3.5; or

(2) a university, other than a state university, that:

- (A) is located in Indiana;**
- (B) maintains a fire department;**
- (C) employs firefighters for the fire department; and**
- (D) is accredited by the North Central Association.**

(d) As used in this SECTION, "fund" refers to the special death benefit fund established by IC 5-10-10-5, as amended by this act.

(e) Not later than June 30, 2005, an employer may remit payment to the board to purchase coverage under IC 5-10-10-4.5, as added by this act, for all eligible officers employed by the employer during the period beginning July 1, 2004, and ending June 30, 2005. If a payment is remitted in accordance with this subsection, a special death benefit shall be paid from the fund under IC 5-10-10, as amended by this act, for any eligible officer who dies in the line of duty during the period beginning July 1, 2004, and ending June 30, 2005.

(f) This SECTION expires July 1, 2006."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1600 as introduced.)

RUPPEL, Chair

Committee Vote: yeas 9, nays 0.

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